

In the Claims:

Please cancel claims 4, 5, 9, 10, 11, 14-36, 39, 41, 49, 52 and 53-62.

Please amend claims 1, 3, 37, 38, 40, 42, 44, 46-48, 50, 63 and 65 as follows.

1. (Amended) A device or apparatus for manipulating matter at an intended manipulation temperature in a confined or inaccessible space, comprising:

(i) manipulator means at least partly constructed of at least one [or more] bent or twisted elongate shape memory alloy members having pseudoelasticity at the intended manipulation temperature, and

(ii) an impermeable barrier member spanning said alloy member(s):

(iii) a hollow housing [(preferably of elongate tubular form)] or cannula capable of initially holding at least the shape memory alloy member(s) in a relatively straightened state, and

[iii] (iv) actuating means for extending the shape memory alloy member(s) with said barrier member from the housing to manipulate matter within [the] said space and for withdrawing the shape memory alloy member(s) into the housing, the arrangement being such that the shape memory alloy member(s) bend(s) or twist(s) pseudoelastically in a lateral or helical sense to manipulate the matter on extending from the housing at [the] said manipulation temperature, and the barrier member is sealable and the shape memory alloy member(s) become(s) relatively straightened on withdrawal into the housing at [the] said temperature.

3. (Amended) An apparatus comprising a surgical instrument for manipulating an object, said apparatus comprising:

a cannula having a longitudinal bore extending therethrough;

a member, disposed within said longitudinal bore and extendable therefrom, said member having,

- (i) a proximal segment, and
- (ii) a distal segment coupled to said proximal segment and at least partially constructed of an elastic material, said distal segment assuming a first shape when

extended from said bore and assuming a second shape when withdrawn into said bore; [and]

at cont.
a distal end structure, at a distal end of said member, including an impermeable barrier member spanning said distal segment for contacting said object to be ^{manipulated} manipulated; ¹
and

handle means, coupled to at least one of said cannula and said member, for manually inserting said member through said cannula to distally extend said distal segment from said bore, and for withdrawing said distal segment into said bore.

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37. (Amended) A surgical device comprising:

(a) a housing; and

(b) a barrier member, the barrier member comprising an elastically deformable loop, and an impermeable [a] barrier membrane [loosely] spanning the loop; [and]

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(c) means for moving said barrier member [wherein the barrier member is moveable] between a first position wherein the barrier [member] membrane is constrained within the housing, and a second position wherein the barrier membrane [member] is unconstrained by the housing and assumes an expanded memory shape.

38. (Amended) A device according to claim 37 which comprises [an endoscopic device, or a laparoscopic device, or which is deployed from within an instrument channel of a laparoscopic device, or wherein the barrier member provides an internal surgical drape, or] a tissue collection pouch, the tissue collection pouch [preferably] including a mouth portion which can be substantially closed.

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40. (Amended) A [cautery] surgical device comprising:

at
(a) a housing; and

(b) a shape memory alloy [cautery] wire including [a] an impermeable barrier member disposed thereon;

(c) means for moving the [wherein the cautery] wire [is moveable] between a first position wherein the [cautery] wire is constrained within the housing, and a second position

wherein the [cautery] wire is unconstrained by the housing and assumes an expanded memory shape; and

(d) means for withdrawing the barrier member.

42. (Amended) A device according to ~~claim [41]~~ 40, wherein said means for moving comprises a drawstring.

44. A remotely operated surgical device comprising:

(a) an elongate housing;

(b) a surgical screen comprising an impermeable elastic material;

(c) means for projection and retracting the surgical screen between a first position wherein the surgical screen is constrained within the housing, and a second position wherein the surgical screen is deployed from the housing and assumes an expanded shape.

46. A device according to claim 44 wherein the surgical screen comprises at least one loop, preferably a graduated series of a loops].

47. A device according to claim 46 wherein the surgical screen comprises at least one loop which is spanned by a perforated sheet, ~~or the surgical screen comprises at least two loops, having an area therebetween, [the] said area [between the loops] being spanned by a perforated sheet.~~

48. (Amended) A collapsible surgical stone basket [of the type] disposed within a sheath, comprising means for expandably [deployable] deploying said basket from [a] said sheath, the basket consisting mainly of a shape memory alloy and having an impermeable barrier member spanning said shape memory alloy.

50. (Amended) A remotely operated surgical device comprising:

(a) an elongate housing;

(b) a retractor, the retractor comprising at least one elastically deformable loop which is spanned by an impermeable membrane, or wherein at least one impermeable membrane spans an area between two loops, or wherein the retractor comprises at least one finger-

shaped member spanned by an impermeable membrane, or wherein an impermeable membrane spans an area between two finger-shaped members; and

(c) means for projecting and retracting the retractor relative to the housing between a first position wherein the retractor is constrained within the housing, and a second position wherein the retractor is unconstrained by the housing and assumes an expanded memory shape.

63. An [A device or] apparatus according to claim 3 wherein the elastically deformable member(s) is(are) composed of [pseudoelastic material, or of] shape memory alloy[, which is preferably pseudoelastic, more preferably superelastic,] under the intended conditions of use.

65. An [A device or] apparatus according to claim 3, wherein the elastic member(s) is (are) composed of shape memory alloy, said shape memory alloy [which] assumes a first shape in a substantially austenitic phase when extended from the housing or cannula, and assumes a second shape containing more martensitic phase when withdrawn into the housing or cannula.

Please insert new claim 69 as follows.

69. 3 An apparatus according to claim 1, further comprising a drawstring for sealing the barrier member.

Remarks

Claims 1-3, 6-8, 37, 38, 40, 42-48, 50, 51, and 63-69 are currently pending in this application. This application is a continuation of U.S. Serial No. 07/774,016, which was previously allowed. The claims currently pending in this application are directed to the elected embodiment of the parent application (identified as Species 7 in the parent application). All rejected claims in that application were cancelled in order to obtain an early allowance.

The claims have been amended to include the additional limitation that the barrier membrane is impermeable. These amendments are made in the interest of speedy prosecution of this application and without prejudice to applicants' right to prosecute claims of broader or different scope in a continuation application.

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